

# SENATE BILL 836

A2

11r2659

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By: **Senator McFadden**

Introduced and read first time: February 14, 2011

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 18, 2011

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – 45th District – Alcoholic Beverages – ~~Class C~~ Licenses**

3 FOR the purpose of authorizing the Board of Liquor License Commissioners for  
4 Baltimore City to issue a Class C beer, wine and liquor license in the 45th  
5 alcoholic beverages district; authorizing the holder of a Class A license to  
6 exercise off-sale privileges on a certain number of additional Sundays during a  
7 calendar year; requiring that a certain license fee be paid before a certain time;  
8 increasing the number of Sundays during which certain Class D licensees may  
9 sell alcoholic beverages during a calendar year; making a certain stylistic  
10 change; and generally relating to alcoholic beverages in Baltimore City.

11 BY repealing and reenacting, without amendments,  
12 Article 2B – Alcoholic Beverages  
13 Section 9–204.1(a), (b), (c), and (d)(1) and 11–503(a)  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2010 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article 2B – Alcoholic Beverages  
18 Section 9–204.1(d)(2), 11–403(a)(3), and 11–503(b)(2)(i)  
19 Annotated Code of Maryland  
20 (2005 Replacement Volume and 2010 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 2B – Alcoholic Beverages**

4 9–204.1.

5 (a) In this section, “Board” means the Board of Liquor License  
6 Commissioners for Baltimore City.

7 (b) This section applies only in Baltimore City.

8 (c) The alcoholic beverages districts described in this section at all times  
9 shall be coterminous with the legislative districts in the Legislative Districting Plan of  
10 2002 as ordered by the Maryland Court of Appeals on June 21, 2002.

11 (d) (1) Except as provided in paragraph (2) of this subsection, new  
12 licenses for the sale of alcoholic beverages may not be issued in the following areas:

13 (i) The 40th alcoholic beverages district (entire district);

14 (ii) The 41st alcoholic beverages district (entire district);

15 (iii) The 43rd alcoholic beverages district (entire district);

16 (iv) The 44th alcoholic beverages district (entire district);

17 (v) The 45th alcoholic beverages district (entire district); and

18 (vi) The 46th alcoholic beverages district (entire district).

19 (2) The Board may issue:

20 (i) Special 1–day licenses; **[or]**

21 (ii) Class B beer, wine and liquor restaurant licenses to bona  
22 fide restaurants having:

23 1. A minimum capital investment, not including the cost  
24 of land and buildings, of \$200,000 for restaurant facilities except in the 46th alcoholic  
25 beverages district;

26 2. A minimum seating capacity of 75 persons; and

27 3. Additional requirements for Class B beer, wine and  
28 liquor licenses issued in the 46th alcoholic beverages district as provided in § 6–201(d)  
29 of this article; **OR**

1 (III) A CLASS C BEER, WINE AND LIQUOR LICENSE IN THE  
2 45TH ALCOHOLIC BEVERAGES DISTRICT.

3 11-403.

4 (a) (3) (i) Except for the Class B Sunday off-sale license prohibition in  
5 the 47th alcoholic beverages district in Baltimore City as provided for in § 6-201(d) of  
6 this article, in Baltimore City a Class B and a Class C beer and light wine or beer,  
7 wine and liquor licensee may sell alcoholic beverages at a bar or counter on Sunday.

8 (ii) 1. Subject to the conditions provided in  
9 SUBSUBPARAGRAPH 2 OF this subparagraph AND IN ADDITION TO  
10 SUBPARAGRAPH (III) OF THIS PARAGRAPH, in Baltimore City, a holder of a Class A  
11 retail alcoholic beverages license may exercise the off-sale license privilege on the  
12 Sundays that fall between Thanksgiving Day and New Year's Day from 1 p.m. to 9  
13 p.m.

14 2. The holder of a Class A retail off-sale license may  
15 exercise the additional privilege authorized by this subparagraph in any year in which  
16 a supplementary license fee of \$75 has been paid prior to October 1 for each day the  
17 additional privilege is to be exercised.

18 (III) 1. THE HOLDER OF A CLASS A RETAIL ALCOHOLIC  
19 BEVERAGES LICENSE IN BALTIMORE CITY MAY EXERCISE THE OFF-SALE  
20 PRIVILEGE ON TWO ADDITIONAL SUNDAYS DURING THE CALENDAR YEAR.

21 2. A HOLDER SHALL PAY A LICENSE FEE OF \$75 AT  
22 LEAST 2 WEEKS BEFORE EACH TIME THE PRIVILEGE IS EXERCISED UNDER THIS  
23 SUBPARAGRAPH.

24 11-503.

25 (a) In Baltimore City an amusement license shall authorize the holder  
26 thereof to keep for sale and sell all alcoholic beverages at all hours except between the  
27 hours of 2 o'clock a.m. and 6 o'clock a.m. of each day.

28 (b) (2) (i) The Board may issue a supplemental license no more than  
29 [two] FOUR times during any calendar year to a holder of a Class D beer, wine and  
30 liquor license authorizing the holder to sell alcoholic beverages between the hours of 6  
31 a.m. on Sunday and 1 a.m. the following day.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 July 1, 2011.